## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION NO. 5:17-CR-111-1H

UNITED STATES OF AMERICA	)	
V.	)	
	)	
	)	ORDER
	)	
JOHN DEVERE BATTLE,	)	
Defendant.	)	

This matter is before the court on the Government's Motion for Authorization to Take Saliva Samples and For Expedited Ruling [D.E. #165]. Specifically, the Government seeks an order "authorizing agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to take samples of saliva from Defendant[] JOHN DEVERE BATTLE . . . containing buccal cells (Cheek epithelial cells), for comparisons with questioned samples to be used in the preparation for and during the anticipated trial of the above case." Defendant has not responded to the Government's motion, and the time for doing so has expired.

The court hereby GRANTS the Government's unopposed motion and ORDERS as follows:

1. Agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives are hereby authorized to obtain buccal swab samples from Defendant John Devere Battle for the purpose of comparing the known samples of Defendant's deoxyribonucleic acid (DNA) to samples of DNA extracted from items believed to have been handled by the individuals involved in the commission of the alleged criminal offenses.

2. Absent further court order, the buccal swab samples collected from Defendant pursuant to this order shall not be used for any other purpose.

This 14th day of March 2018.

KIMBERL**X** A. SWANK

United States Magistrate Judge